

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION



UNITED STATES OF AMERICA

v.

ROSEMARIE ANNABEL KIERULF

§
§
§
§
§

CRIMINAL NO **15 CR 663**

Count 1: Theft of Public Money
Notice of Criminal Forfeiture
FILED UNDER SEAL

INDICTMENT

THE GRAND JURY CHARGES:

Count One
(Theft of Public Money, 18 U.S.C. § 641)

A. INTRODUCTION

AT ALL TIMES MATERIAL HEREIN:

1. United States Social Security Administration ("SSA") is an independent agency of the Executive Branch of the United States Government, which administers the old-age, survivors, and disability insurance programs under the Social Security Act. These programs provide monthly cash benefits to those covered by these programs.

2. Beatty Ferdinand "B.F." Thompson was eligible and did receive retirement benefits from the SSA, which were mailed to an address in Houston, TX for a period of time, and then electronically deposited into an account at Metro Bank (now East-West Bank), also in Houston, held with Rosemarie Annabel Kierulf, his wife, who was a signatory on the account. Mr. Thompson was declared dead on April 10, 2007, by the judge of Harris County Probate Court Number Four in Houston, Texas, which terminated his entitlement to SSA benefits.

3. **Rosemarie Annabel Kierulf**, defendant herein, from April 2005 to July 2006, forged B.F. Thompson's name and cashed the SSA checks. From August 2006 to November 1,

2013, the defendant used a debit card to obtain SSA funds intended for B.F. Thompson to spend for her personal and family benefit.

Beginning in or about May 3, 2005, and continuing until on or about November 1, 2013, in the Houston Division of the Southern District of Texas,

Rosemarie Annabel Kierulf,

the defendant herein, did knowingly embezzle, steal, purloin and convert to her own use money of the United States Social Security Administration, an agency of the United States, namely Social Security Retirement benefits of Beatty Ferdinand "B.F." Thompson, her deceased husband, to which she knew that she was not entitled and having a value of approximately \$163,529.00.

In violation of Title 18, United States Code, Section 641.

NOTICE OF CRIMINAL FORFEITURE

28 U.S.C. § 2461(c); 18 U.S.C. § 981(a)(1)(C)

Pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 981(a)(1)(C), the United States gives notice to the defendant,

Rosemarie Annabel Kierulf,

that in the event of conviction of the offense charged in this Indictment, the United States intends to seek forfeiture of all property, real or personal, which constitutes or is derived from proceeds traceable to such offense.

Money Judgment

The defendant is notified that upon conviction, a money judgment may be imposed equal to the total value of the property subject to forfeiture. That amount is estimated to be, but is not limited to, \$163,529.00 in United States dollars.

Substitute Assets

The defendant is notified that in the event that property subject to forfeiture, as a result of any act or omission of the defendant,

- (A) cannot be located upon the exercise of due diligence;
- (B) has been transferred or sold to, or deposited with, a third party;
- (C) has been placed beyond the jurisdiction of the court;
- (D) has been substantially diminished in value; or
- (E) has been commingled with other property that cannot be divided without difficulty,

it is the intent of the United States to seek forfeiture of any other property of the defendant up to the total value of such property pursuant to Title 21, United States Code, Section 853(p), incorporated by reference in Title 28, United States Code, Section 2461(c)

A TRUE BILL:

ORIGINAL SIGNATURE ON FILE
FOREPERSON OF THE GRAND JURY

KENNETH MAGIDSON
United States Attorney

By:


Quincy L. Ollison
Assistant United States Attorney